

## REMARKS

Claims 40-43 are pending in the present application. The Examiner has rejected Claims 40, 42 and 43 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,966,671 (Mitchell) in view of U.S. Patent No. 6,529,713 (Seymour), and further in view of U.S. Patent 6,873,317 (Griffin), and further in view of U.S. Patent No. 6,178,338 (Yamagishi). The Examiner has rejected Claim 41 under 35 U.S.C. §103(a) as being unpatentable over Mitchell in view of Seymour, Griffin, and Yamagishi, and further in view of U.S. Patent No. 5,915,228 (Kunihiro).

Regarding the rejection under §103(a) of independent Claim 40, the Examiner states that Mitchell in view of Seymour, and further in view of Griffin, and further in view of Yamagishi renders the claim unpatentable. Mitchell discloses a radiotelephone having an auxiliary actuator and method for operating said radiotelephone; Seymour discloses a handset; Griffin discloses a hand-held electronic device with a keyboard optimized for use with the thumbs; and, Yamagishi discloses a communication terminal apparatus and method for selecting options using a dial shuttle.

In particular, Claim 40 recites, in part, “a) pressing the protrusion of the multi-function key at least once to generate a first input signal” and “d) pressing the protrusion of the multi-function key greater than a predetermined number of times to generate a fourth input signal.” Therefore, depending on the number of times the multi-function key is pressed, the one multi-function key can produce 2 input signals. The Examiner relies on Mitchell as disclosing these features. Although Mitchell teaches a button that can be pressed, Mitchell does not teach or disclose a single multi-function key that can be pressed at least once to generate one input signal and pressed greater than a predetermined number of times to generate another input signal.

Claim 40 recites a method that generates two signals such as a first input signal capable of selecting one of the digit and the character below the cursor, and a fourth input signal capable of moving a cursor in a displayed character and digit set. The input signals are generated based

on the number of times the protrusion of the multi-function key is pressed.

Nowhere in Mitchell is there any teaching of this feature as recites in Claim 40. Specifically, the cited portion of Mitchell merely discloses that an actuator has a function of rotating, sliding, scrolling and pressing, and acts a cursor through a rotating operation and selecting through a pressing operation. Mitchell fails to disclose performing different functions according to the number of times the actuator is pressed as recited in Claim 40. Seymour, Griffin, and Yamagishi, either alone or in combination, do not cure these defects of Mitchell.

Second, no combination of any of the references teaches using a multi-function key to move a cursor over a character or digit, i.e. identifying a character or digit, by sliding the multi-function key up/down and left/right. The only reference that discusses characters or digits is Griffin, and Griffin uses a key pad to identify characters or digits, and not its thumbwheel. Mitchell, Seymour and Yamagishi, either alone or in combination, do not cure these defects of Griffin.

Third, no combination of any of the references teaches using a multi-function key to select the character or digit, identified by the position of the cursor, by pressing the multi-function key. Again, the only reference that discusses characters or digits is Griffin, and Griffin uses a key pad to select characters or digits, and not its thumbwheel. Mitchell, Seymour and Yamagishi, either alone or in combination, do not cure these defects of Griffin.

Based on at least the foregoing, withdrawal of the rejection under §103(a) of independent Claim 40 is respectfully requested.

Without conceding patentability per se of dependent Claims 41-43, it is respectfully submitted that Claims 41-43 are believed to be allowable by virtue of their dependence on Claim 40.

Accordingly, all of the claims pending in the Application, namely, Claims 40-43, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

Paul J. Farrell  
Reg. No. 33,494  
Attorney for Applicant(s)

THE FARRELL LAW FIRM  
333 Earle Ovington Blvd., Suite 701  
Uniondale, New York 11553  
Tel: (516) 228-3565  
Fax: (516) 228-8475

PJF/MJM/dr